

United States District Court

Western District of Texas

Pecos Division

United States  
v.  
Thomas Arthur

No. P-19-CR-774-DC

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Defendant's Reply to Bill of Particulars  
and Request for Review of Evidence

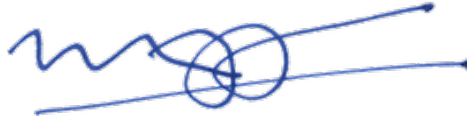
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**JUDGE COUNTS:**

On January 17, 2021, the Government filed its Bill of Particulars (Doc. 90). Pursuant to that Bill, it identified 35 stories not charged in the indictment upon which it intends to rely in its proof of Count VII.

In order that trial may proceed as scheduled, Mr. Arthur requests that the Government either: (1) make these 35 exhibits, identified on pages 12–13 of Doc. 90 as Exhibits 35B – 35ii, available to the defense via digital or hard copy immediately; or (2) permit Dr. Ley to examine these 35 exhibits on Tuesday, January 19, 2021, immediately following the Court's pre-trial motion hearing.

Respectfully Submitted,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

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**CERTIFICATE OF SERVICE**

A copy of this document will be delivered to the attorneys for the Government by the efile system when it is filed with this Court.



Mark Bennett

United States District Court

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Order on  
Defendant's Request to View Evidence Identified in Bill of Particulars

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The Court, having considered the Defendant's request to view the evidence identified by the Government in its bill of particulars (Doc. 90), hereby ORDERS:

- [ ] That the evidence identified as Exhibits 35B through 35ii in the Bill of Particulars (Doc. 90) be made available to the Defense **immediately** through providing digital copies
- [ ] That the evidence identified as Exhibits 35B through 35ii in the Bill of Particulars (Doc. 90) be made available to the Defense **at 8:00 a.m. on January 19, 2021**, through providing hard copies to the Defense
- [ ] That Dr. David Ley be permitted to inspect and review the exhibits identified as Exhibits 35B through 35ii in the Bill of Particulars (Doc. 90) beginning no later than immediately after the close of the Court's final pre-trial hearing on January 19, 2021.

Signed on this the \_\_\_\_\_ day of January, 2021.

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**JUDGE DAVID COUNTS**